

**AMENDMENT**

**U.S. Patent Application Serial No. 09/488,971**

**REMARKS**

Claims 1, 3 - 4, 6 - 15, 17 - 18, 20 - 21, 24 - 25, 28, 30, 32 - 36, 38, 40 and 42 have been amended.

Claims 1 - 43 are present in the subject application.

In the Office Action of January 10, 2007, the Examiner has rejected claims 1 - 43 under 35 U.S.C. §103(a). Favorable reconsideration of the subject application is respectfully requested in view of the following remarks.

The Examiner has rejected claims 1 - 27 and 40 - 43 under 35 U.S.C. §103(a) as being unpatentable over the Vaughn publication in view of U.S. Patent No. 6,529,889 (Bromberg et al.). Briefly, the present invention is directed toward a web-based system, method and program product for adding content to a content object (e.g., a custom compilation or prepublished work) stored in a data repository as a group of hierarchically related content entities. Each noncontainer content object is preferably stored as a separate entity in the data repository. Each content entity is also stored as a row in a digital library index class as a collection of attributes and references to related content entities and containers. As the user selects desired objects for inclusion in a content object, the system arranges the objects hierarchically (e.g., into volumes, chapters and sections) according to the order specified by the user. The system then creates a file object defining the content object that contains a list or outline of the container and noncontainer entities selected, their identifiers, order and structure. Content is moved in the content object by moving desired ones of the container and noncontainer content entity identifiers to new locations in the list or outline. This is achieved through a user interface by providing a mechanism for enabling a user to select a container or noncontainer to be moved and specify a target location for

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the content entity (e.g., by inserting the container or noncontainer title between other titles in the outline).

The Examiner takes the position that the Vaughn publication discloses the claimed subject matter, except for parent and child containers adhering to inheritance with the containers containing content entities. The Examiner further alleges that the Bromberg et al. patent teaches this feature and that it would have been obvious to combine the Vaughn publication with the Bromberg et al. patent to attain the claimed invention.

This rejection is respectfully traversed. However, in order to expedite prosecution of the subject application, independent claims 1, 4, 8, 11, 15, 18, 40 and 42 have been amended and recite the features of creating the content object (or customized book as recited in claim 42) by enabling selection of content entities stored within the data repository (or computer database as recited in claim 42) for inclusion within the content object (or customized book as recited in claim 42) via a user interface, wherein at least one selected content entity includes pre-existing material, is pre-stored in the data repository and is selectable for inclusion within a plurality of different content objects (or customized books as recited in claim 42). Dependent claims 3, 6 - 7, 9 - 10, 12 - 14, 17, 20 - 21, 24 - 25, 28, 30, 32 - 36 and 38 have been amended for consistency with their amended parent claims. In addition, claims 11 - 14 have been amended to recite a program storage device.

The Vaughn publication does not disclose, teach or suggest these features. Rather, the Vaughn publication discloses a utility to assist with organization of outlines, concepts, notes, chapters, etc. (e.g., See Page 3). The utility includes an outline window that lists in a hierarchical structure the RTF files included in a user collection of files (e.g., See Page 4). In order to create a collection of RTF files, a new ezWriter file is created with an initial RTF file.

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The ezWriter file is an index of (or series of pointers to) RTF files and is saved as an ASCII text file (e.g., See Page 7). The created ezWriter file and an initial RTF file are placed into the same directory under the ezWriter directory. In other words, each collection of files created by the user (the ezWriter file or outline and corresponding RTF files for that collection) is stored in its own directory. The new RTF file has “(new file)” as the contents until edited by the user (e.g., See Pages 7 - 8). In order to add entries to the outline or collection, the ezWriter file is modified by the user. When entries are added to the outline, each added entry will have an RTF file created that is edited by the user to insert material therein via the writer portion of the utility (e.g., See Pages 7 - 8). The ezWriter outline or file maintains the organization for the user-created collection (all the corresponding RTF files within the outline or collection) stored in one single directory (e.g., See Page 8).

Thus, the Vaughn publication discloses creation of files (with initial or null content) for editing or insertion of material by a user to populate the collection, as opposed to selection of pre-stored pre-existing material as recited in the independent claims. Further, since the Vaughn utility maintains each collection created by the user (ezWriter outline and corresponding RTF files) in its own single directory, the RTF files are restricted to the particular collection (outline or ezWriter file) and cannot be selected for other file collections (or ezWriter files or outlines) as recited in the independent claims.

The Bromberg et al. patent does not compensate for the deficiencies of the Vaughn publication. Rather, the Bromberg et al. patent is merely utilized by the Examiner for an alleged teaching of inheritance.

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Since the Vaughn publication and Bromberg et al. patent do not disclose, teach or suggest, either alone or in combination, the features recited in independent claims 1, 4, 8, 11, 15, 18, 40 and 42 as discussed above, these claims are considered to be in condition for allowance.

Claims 2 - 3, 5 - 7, 9 - 10, 12 - 14, 16 - 17, 19 - 27, 41 and 43 depend, either directly or indirectly, from independent claims 1, 4, 8, 11, 15, 18, 40 or 42 and, therefore, include all the limitations of their parent claims. The dependent claims are considered to be in condition for allowance for substantially the same reasons discussed above in relation to their parent claims and for further limitations recited in the dependent claims.

The Examiner has rejected claims 28 - 39 under 35 U.S.C. §103(a) as being unpatentable over the combination of the Vaughn publication and Bromberg et al. patent, and further in view of U.S. Patent No. 6,006,242 (Poole et al.). Briefly, the present invention is directed toward a web-based system, method and program product for adding content to a content object (e.g., a custom compilation or prepublished work) stored in a data repository as a group of hierarchically related content entities as described above.

The Examiner takes the position that the combination of the Vaughn publication and Bromberg et al. patent discloses the claimed subject matter, except for an identifier with the claimed format. The Examiner further alleges that the Poole et al. patent teaches this feature and that it would have been obvious to combine the Vaughn publication with the Bromberg et al. and Poole et al. patents to attain the claimed invention.

This rejection is respectfully traversed. Initially, claims 28 - 39 depend, either directly or indirectly, from independent claims 1, 4, 8, 11, 15 or 18 and, therefore, include all the limitations of their parent claims. As discussed above, the combination of the Vaughn publication and Bromberg et al. patent does not disclose, teach or suggest the features of creating the content

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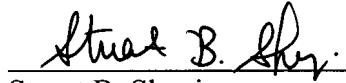
object by enabling selection of content entities within the data repository for inclusion within the content object via a user interface, wherein at least one selected content entity includes pre-existing material, is pre-stored in the data repository and is selectable for inclusion within a plurality of different content objects as recited in the claims.

The Poole et al. patent does not compensate for the deficiencies of the Vaughn publication and Bromberg et al. patent, and is merely utilized by the Examiner for an alleged teaching of an identifier format.

Since the Vaughn publication and Bromberg et al. and Poole et al. patents do not disclose, teach or suggest, either alone or in combination, the features recited in claims 28 - 39 as discussed above, these claims are considered to be in condition for allowance.

The application, having been shown to overcome issues in the Office Action, is considered to be in condition for allowance and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

  
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